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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition No.1878 OF 2005

PETITIONER		Abdul Karim S/o of Mohd. Hanif Memon, aged about 26 years, R/o. Itwari Bazar, Khairagarh, District Rajnandgaon (C.G.)
	Vs.	
RESPONDENTS	1.	State Transport Appellate Tribunal, Chhattisgarh, Raipur.
	2.	Regional Transport Authority Chhattisgarh, Raipur.
	3.	Mohd. Usman, R/o Kela Badi, Durg (C.G.)
	4.	Mohd. Idrish, Bharat Travels, Kelabadi, Durg (C.G.)

Present : Shri B.K. Rawat, learned counsel for the petitioner.

Shri Vinay Harit, learned Dy. A.G. for the State and its authorities.

Shri Ajay Shrivatava, learned counsel for respondents 3 and 4.

ORAL ORDER

(Passed on 10th August, 2006)

The permit granted by the Regional Transport Authority, Chhattisgarh, Raipur, the second respondent herein, has been set aside by the State Transport Appellate Tribunal, Chhattisgarh, Raipur, the first respondent herein, at the behest of the rival operators, respondents 3 & 4 herein. The State Transport Appellate Tribunal has assigned three reasons to set aside the grant of permit - (i) that the petitioner did not file 'no objection certificate' with regard to the payment of tax before the second respondent; (ii) that in the application for the grant of permit the petitioner did not mention the route for which he sought permit and (iii) that on the date of the application and the grant

of permit, the petitioner had to pay the tax and penalty to the tune of Rs.3,50,644/-.

(2) I have heard learned counsel for the parties. Learned counsel appearing for the petitioner was not in a position to successfully contest any of the reasons assigned by the State Transport Appellate Tribunal. It is needless to state that as per the provisions of Section 72 of the Motor Vehicles Act, 1988, an applicant for grant of permit is required to mention the route. It is also the requirement of law that the applicant should produce 'no objection certificate' with regard to payment of tax. In that view of the matter, no exception could be taken to the impugned order of the State Transport Appellate Tribunal. The writ petition is devoid of merit and it is accordingly dismissed. No costs.

Sd/-
Chief Justice